



Mahein Nia Lian Nú, 13 Agosto 2012

Management and Mismanagement of Police Weapons in Timor-Leste

PNTL continues to abuse and lose its guns?

Introduction

For some time now the Government of Timor-Leste, and the international community, have been stating that should the July 2012 elections be conducted peacefully then UNMIT and the ISF would almost certainly leave Timor-Leste by December 2012. The national election of 7 July 2012 was conducted peacefully and without major violence, so it seems as though the time has come for the international peacekeeping presence to come to an end just in a matter of a few months time.

However, after the recent CNRT Conference, televised live on TVTL, it appears as FRETILIN was largely excluded from Government. This resulted in a day or two of lawlessness in Dili, and in the alleged murder of student Armindo Pereira Alves in Hera by PNTL highlights an ongoing problem in our national police service. While the PNTL has improved significantly since the crisis of 2006, and is now longer infected with extreme factionalism, it remains an institution, which still cannot adequately manage its most dangerous assets - its weapons.

Fundasaun Mahein has written many times about the use and abuse of weapons in Timor-Leste. While there appears to be general improvement in the avoidance of major abuse, such as the distribution of weapons of PNTL weapons to civilians in 2006, there is an ongoing day to day mismanagement of police weapons throughout the country. For more information see previous FM reports.¹

Background

The history of weapons mismanagement in the PNTL started from the beginning of its existence, and has continued to this very day.

PNTL was founded in 2001, the below is a summary list of serious weapons mismanagement by the national police service. The list is not complete but designed to demonstrate a pattern of mismanagement and abuse.

1. On 28 November 2002 there was a protest outside the Baucau police headquarters and one person was shot and killed. No one was held responsible for this fatality.
2. On 4 December 2002 during the Dili riots at least 2 people were killed and a number wounded, most likely from PNTL weapons. No one was held responsible.
3. In April 2006 the Minister of Interior and senior police officers distributed weapons to civilians, contributing significantly to the crisis of 2006 a number of civilian, police, and military deaths as well as thousands of house burnings and 150,000 IDPs.

¹<http://www.fundasaunmahein.org/wp-content/uploads/2011/11/Mahein-Nia-Lian-No-25-English.pdf>

4. On 3 June 2007 AfonsoKudalai was shot and killed by a PNTL officer in Viqueque.
5. On 8 February 2008 a number of ex police and military armed mostly with stolen and “gifted” PNTL weapons shot and seriously injured the President of Republic, in addition to an attack on the Prime Minister’s convoy.
6. On 2 November 2009 a civilian was shot in the abdomen by a PNTL officer in Bobonaro.
7. On 22 November 2009 a PNTL officer shot and wounded a civilian while off duty.
8. On 29 December 2009, in Delta Nova Hall, Comoro, Dili Vladimir LebreCorreia was shot and killed by a PNTL officer.
9. On 4 November 2011 aPNTL member from the Border Patrol Unit (BPU) shot dead a female student named Luluin Lourba, Bobonaro District.
10. On 15 July 2012 Armindo Pereira Alves shot and killed by a PNTL officer in Hera.

It is not just a problem of the abuse of weapons while in possession of them, but PNTL has also still not been able to recollect all weapons lost before, during and after the crisis of 2006.

On 6 January 2011 an internal PNTL audit showed that PNTL still had not recovered the below “lost” weapons.As revealed by Tempo Semanal on 6 Sept 2011, for a total of 47 weapons.²

1. 4 HK33 semi-automatic rifles,
2. 1 Kaliber 12 shotgun,
3. 42 Glock 9mm pistols

On 30 September 2011 Deputy PNTL General Commander Afonso de Jesus confirmed this information at a meeting at Hotel Timor.³ However on 5 January 2012 at a joint PNTL - FFDTL workshop Major Amico of FFDTL said 52 weapons were still missing.⁴ Fundasaun Mahein is confused who to believe, as the audits have never been made public in full, and no explanation of the details have been made available to the public.

Fundasaun Mahien has obtained a copy of internal UN and PNTL audit of PNTL weapons dated 14 July 2008 and it states that the following weapons were missing:

1. 4 HK33s
2. 1 Kaliber 12 shotgun
3. 16 Glock 9mm pistols

This suggests that PNTL lost 26 9mm Glock pistols AFTER the crisis – between July 2008 and January 2011. This is very worrying.

These weapons are owned by the State, and the state belongs to its citizens, but the citizens are not allowed to know what happens to the weapons that are used to victimize them when they should be used to protect them.

² “Kilat PNTL Barak La Rejistu”, Tempo Semanal, September 6th, 2011, <http://www.tempo-semanal.com/?p=623>

³Kilat PNTL, DiarioNacional, 30 September 2011.

⁴REFLESAUN F-FDRTL ho PNTL Dili Convention Center 5 January 2012.



Management

The evidence suggests that PNTL cannot yet properly manage its weapons, and that as a result police officers are often responsible for accidental as well as malicious death and injury of civilian citizens by shooting. While some level of this type of incident is inevitable Fundasuan Mahein believes that the rate of such behaviour is too high.

The most obvious reasons for ongoing mismanagement of PNTL weapons lie in three categories, all of which are inter related.

- Firstly, **PNTL officers lack discipline** both at the senior and junior levels. PNTL officers have repeatedly been ordered, not asked, but ordered to not carry weapons home, or while off duty. They are consistently doing so, and it is both against the law as well as a breach of institutional regulations. However, civilian and uniformed leadership of the PNTL are either too weak to impose the rules or are themselves guilty of the same infractions and thus not inclined to enforce the rules. It is a sign of gross lack of professionalism and poor discipline.
- Secondly, the **justice system often finds itself unable to properly enforce the law** when it comes to prosecuting and convicting police officers accused of professional misconduct.
- Thirdly, **PNTL lacks both physical armouries** for the large number of police stations around the country, for example there are several dozen police stations around the country but only a handful of them have armouries. And

even when armouries are in place lacks the systems and professional discipline needed to manage the armouries.

Fundasaun Mahein Recommends:

1. That SES build armouries in all locations where there are weapons.
2. That SES withdraws all weapons in locations where there are no armouries.
3. That once actions above done that PNTL officers suspected of weapons violations be immediately suspended indefinitely - until all of them are either dismissed for professional misconduct or cleared of all charges.
4. That SES publish on an annual basis the details of all weapons violations, the status of the cases, in addition to provide to Committee B of the National Parliament an independently verified audit of its weapons stocks.

Referensia

<http://www.fundasaunmahein.org/wp-content/uploads/2011/11/Mahein-Nia-Lian-No-25-English.pdf>

Kilat PNTL Barak La Rejistu”, Tempo Semanal, September 6th, 2011, <http://www.tempo-semanal.com/?p=623>

Kilat PNTL, DiarioNacional, 30 Setemberu 2011.

REFLESAUN F-FDTL ho PNTL Dili Convention Center 5 Janeiru 2012.

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